

REMARKS/ARGUMENTS

Claims 1, 6-33, and 36-38 are pending in this Application.

Claims 1, 6, 7, 10, 11, 13, 14, 16, 19, and 20 are currently amended. Applicants respectfully submit that support for the claim amendments can be found throughout the specification and the drawings.

Claims 1, 6-33, and 36-38 remain pending in the Application after entry of this Amendment. No new matter has been entered.

In the Office Action, claims 1, 6-33, and 36-38 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent Application Publication No. 2002/0103881 (hereinafter "Granade"), in view of RFC 2616, and in further view of U.S. Patent No. 6,073,168 (hereinafter "Mighdoll").

Claim Rejections Under 35 U.S.C. § 103(a)

Applicants respectfully traverse the rejections to claims 1, 6-33, and 36-38 and request reconsideration and withdrawal of the rejections under 35 U.S.C. § 103(a) based on Granade, RFC 2616, and Mighdoll. Applicants respectfully submit that Granade, RFC 2616, and Mighdoll, either individually or in combination, fail to disclose one or more of the claim limitations recited in each of claims 1, 6-33, and 36-38. These differences, along with other difference, establish that the subject matter as a whole of claims 1, 6-33, and 36-38 would not have been obvious at the time of invention to a person of ordinary skill in the art.

For example, Granade, RFC 2616, and Mighdoll, either individually or in combination, fail to disclose or suggest, each and every claim limitation as recited in amended claim 1. As recited in amended claim, a second server computer determines one or more environmental characteristics applicable to delivery of the fetched content to the mobile device from the reference format in one or more formats suitable to the mobile device. As recited, the second server computer converts the fetched content from the reference format to a format suitable to the mobile device based on the one or more environmental characteristics applicable to delivery of the fetched content to the mobile device.

Granade fails to disclose that one or more environmental characteristics applicable to delivery of the fetched content to the mobile device from the reference format in one or more formats suitable to the mobile device are determined as recited in amended claim 1. Granade merely allows different types of content to be sent using different adapters. Thus, one type of content may be formatted for transmission in one way by one adapter, and another type of content may be formatted for transmission in another way by another adapter. Yet, Granade fails to disclose or suggest that one or more environmental characteristics applicable to delivery of the fetched content to the mobile device from the reference format in one or more formats suitable to the mobile device as recited in amended claim 1 are by the adapter for the same fetched content, such as discussed in the Application where the bit rate at which content is delivered is varied or selectable, such as due to available bandwidth and as recited in amended claim 16.

RFC 2616 and Mighdoll fail to cure the above-discussed deficiencies of Granade, and fail to disclose or suggest the above recited features of amended claim 1. Applicants further respectfully submit that none of the cited references cure the above-discussed deficiencies of Granade, RFC 2616, and Mighdoll, and thus, amended claim 1 is allowable over the cited references.

Applicants respectfully submit that independent claim 20 is allowable for at least a similar rationale as discussed above for the allowability of claim 1, and others. Applicants respectfully submit that the dependent claims that depend directly and/or indirectly from independent claims 1 and 20 respectively, are also allowable for at least a similar rationale as discussed above for the allowability of the independent claims. Applicants further respectfully submit that the dependent claims recite additional features that make the dependent claims allowable for additional reasons.

Unless otherwise specified, amendments to the claims are made for the purposes of clarity, and are not intended to alter the scope of the claims or limit any equivalents thereof.

While Applicants do not necessarily agree with the prior art rejections set forth in the Office Action, these amendments may be made to expedite issuance of the Application.

Applicants reserve the right to pursue claims to subject matter similar to those pending before the present Amendment in co-pending or subsequent applications.

CONCLUSION

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 925-472-5000.

Respectfully submitted,

/Sean F. Parmenter, Reg. No. 53,437/
Sean F. Parmenter
Reg. No. 53,437

TOWNSEND and TOWNSEND and CREW LLP
Two Embarcadero Center, Eighth Floor
San Francisco, California 94111-3834
Tel: 925-472-5000
Fax: 415-576-0300
SFP:lls
62084288 v1